

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 1:06cr00151-001
)	
Plaintiff,)	JUDGE: JAMES S. GWIN
)	
vs.)	ORDER
)	
KEVIN MALONEY,)	
)	
Defendant.)	

This matter was heard on July 17, 2014, upon the request of the United States Pretrial and Probation Office for a finding that defendant violated the conditions of supervised release. The defendant was present and represented by Attorney Darin Thompson. Defendant had requested, through counsel, that the final revocation and sentencing hearing be set as soon as possible rather than waiting for the objection period to expire.

This supervised release violation issue was referred to Magistrate Judge Nancy A. Vecchiarelli on July 9, 2014 [Doc. 57] to conduct appropriate proceedings and for the issuance of a Report and Recommendation. The Report and Recommendation was issued on July 14, 2014 [Doc. 59] and no objections were filed by either plaintiff or defendant.

Therefore, the Court adopts the Magistrate Judge's Report and Recommendation and finds that the following terms of supervision have been violated:

- 1) termination from residential drug program;
- 2) illicit drug use;

- 3) failure in Outpatient Drug/Alcohol Aftercare;
- 4) failure to pay restitution.

The Court, after entertaining statements from counsel, the defendant and the supervising officer and considering the Section 3553(a) factors, committed defendant to the Bureau of Prisons for a term of 6 months with credit for time served in federal custody on the instant violations. Upon release from incarceration defendant's period of supervised release shall terminate.

The defendant is remanded to the custody of the U.S. Marshal, Cleveland, Ohio.

Dated: July 17, 2014

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE